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PLANNING DIVISION

ATTACHMENT H

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~~987 Rattan Terrace~~
Sunnyvale, CA 940486

November 19, 2004

Alice Gamboa, Planning
City of Sunnyvale
46 West Olive Avenue
Sunnyvale, CA 94086

Dear Alice Gamboa:

I am writing regarding File 2004-0477, the fence permit for ~~987 Rattan Terrace~~.

In response to Trudy Ryan's letter of November 17, 2004, I hereby notify you that I want to appeal to the City Council. I wish to appeal because the process was based on false premises, I was informed my appeal was off the schedule for November 8th, my request (approved by Amy Chan) to be present at the re-measuring of the fence was not honored, my requests (approved by Amy Chan) to meet with Amy Chan and Planning were not honored, my requests for a copy of the original hearing recording was not honored, the applicant no longer has standing since she is no longer the owner of the property, to name a few.

It is my position that I am not receiving equitable treatment and therefore I am submitting this notice of appeal under strong protest. My request that the original report be corrected of numerous misstatements and my approved request to be present at the re-measuring of the fence should have been honored prior to the original hearing. It was not. My subsequent attempts to have the report corrected were ignored and delayed. The permit should never have proceeded to hearing without the corrected information, or at least a representation of both sides of the disputed facts. The appeal should never have proceeded since discussion of the facts were still awaiting a meeting with Amy Chan and Planning. Moreover, I was told that the appeal was no longer scheduled for November 8. I sent a confirming letter and I was never called or informed that my letter was in error. It might appear my request to have a fence, that was built without a permit, conform to rules is being railroaded.

By submitting this appeal I am not waiving any of my rights and will be requesting return of my funds.

Finally, I must note that although the appeal was "heard" on November 8, I was not mailed Ryan's letter until 9 days later on November 17, 2004. Previously I had informed the City that I would be on vacation during this period. Ryan's letter provides only 6 days to respond and that includes mailing time. Why such

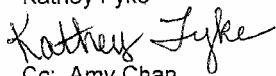
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little time to respond. Surely if the intention is to support the process, a party would be afforded a more workable amount of time.

I have enclosed a check for \$110 to cover the fee for the appeal.

Sincerely,

Kathey Fyke



Cc: Amy Chan